

Message Text

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PAGE 01 PORT M 01216 300646Z
ACTION CPR-01

INFO OCT-01 EA-12 ISO-00 L-03 JUSE-00 OPR-02 A-01
TRSE-00 /020 W

-----108749 300652Z /14

R 300010Z AUG 77
FM AMEMBASSY PORT MORESBY
TO SECSTATE WASHDC 2563

UNCLAS PORT MORESBY 1216

FOR PROTOCOL

E.O. 11652: NA
TAGS: PDIP
SUBJ: HOST COUNTRY REQUIREMENTS FOR AUTOMOBILE LIABILITY INSURANCE

REF: STATE 189095

1. ALL PRIVATE INSURANCE COMPANIES ACT AS AGENTS FOR MOTOR
VEHICLES INSURANCE (PNG) TRUST, A PRIVATE TRUST TO WHICH ALL
INSURANCE COMPANIES PAY THEIR 3RD PARTY PREMIUMS. THIS TRUST
IS THEN THE ACTUAL 3RD PARTY INSURER OF ALL PRIVATE CARS IN PNG.

2. FOLLOWING ARE ANSWERS TO SAME PARA. NO. IN REFTEL:

A. YES, MANDATORY 3RD PARTY INSURANCE.

B. MINIMUM 3RD PARTY COVERAGE IS K100,000 (US\$126,830).

TRAFFIC DEPT WILL NOT ISSUE LICENSE PLATE (REGISTRATION) UNLESS
3RD PARTY CERTIFICATE OF INSURANCE IS PRODUCED.

C. NA

D. NA

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E. LOCAL LAW REQUIRES THAT ALL SUITS MUST BE FIELD AGAINST
THE TRUST, NOT THE INDIVIDUAL. THE TRUST IS LIABLE FOR JUDGEMENTS
UP TO 100,000 KINA (US\$126,830) PER PERSON WITH MAXIMUM
LIABILITY OF 500,000 KINA (US\$634,150) PER ONE EVENT. IF
AWARD IS MORE THAN THAT, OWNER OF VEHICLE IS LIABLE FOR BALANCE.
THEREFORE, IT IS POSSIBLE TO TAKE OUT ADDITIONAL COVERAGE WITH
INDIVIDUAL INSURANCE COMPANIES FOR SUCH EVENTUALITIES. NO

MATTER HOW MUCH THE SUIT IS FOR, IT IS THE TRUST WHO GOES TO COURT.

F. TRUST OFFICIAL DOES NOT BELIEVE THERE ARE ANY GROUNDS THE TRUST COULD USE TO DENY ABOVE-SPECIFIED LIABILITY.

G. OTHER DIPLOMATIC MISSIONS DO NOT HAVE STANDARD PRACTICE, BUT REFER TO HOME OFFICE WHICH DECIDES EACH INCIDENT ON CASE-BY-CASE BASIS, ESPECIALLY IF WAIVING IMMUNITY FOR CIVIL CASE WOULD OPEN DIPLOMAT TO CRIMINAL PROCEEDINGS.

H. MANDATORY 3RD PARTY INSURANCE IS SAME FOR ALL-NO DISTINCTION MADE FOR DIPLOMATIC MISSIONS AND NO PROBLEMS IN OBTAINING INSURANCE.

I. RATES ARE THE SAME.

J. NO DIFFERENCE IN INSURANCE CONTRACT.

K. NO; DIPLOMATS ARE TREATED THE SAME AS ANY INDIVIDUAL INSURER.

L. SINCE TRUST IS PARTY WHO IS SUED, THE WAIVER IS NOT NECESSARY FOR THAT AMOUNT.

M. NEITHER TRUST NOR DIPLOMATIC MISSIONS OFFICIALS COULD
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RECALL ANY NOTORIOUS CASES.

N. PAYBACKS ARE A MELANESIAN TRADITION, IE, DRIVERS INVOLVED IN FATAL ACCIDENTS ARE OFTEN INJURED OR KILLED THEMSELVES BY BYSTANDERS OR RELATIVES. TO TRY TO PREVENT THIS, PNG 3RD PARTY INSURANCE BASIC PROTECTION ACT NO 44 OF 1974 MAKES PROVISION FOR INSTANT PAYMENT OF FROM K1500-2000 US\$1902-2536) PER DEATH TO RELATIVES APPEARING IN COURT SOON AFTER ACCIDENT. THIS AMOUNT IS ACTUALLY PAID BY THE TRUST, NOT THE GOVT., BUT COURTS PROVIDE FOR INSTANT PAYMENT WITHOUT WAITING FOR SETTLEMENT OF SUITS.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Copy: SINGLE
Sent Date: 30-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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From: PORT MORESBY
Handling Restrictions: n/a
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Status: NATIVE
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